

The Honorable Ronald B. Leighton

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON AT TACOMA

AETNA HEALTH, INC.; and AETNA LIFE  
INSURANCE COMPANY, on behalf of itself and its  
self-insured plans,

Plaintiffs,

v.

SAMUEL ROSS FOX, M.D.; KATHERINE M.  
FOX; COTTONWOOD FINANCIAL SERVICES,  
L.C.; WASHINGTON MUTUAL BANK;  
DISTRICT DIRECTOR-INTERNAL REVENUE  
SERVICE; and all other persons or parties unknown  
claiming any right, title, estate, lien or interest in the  
real estate described in the Complaint.

Defendants.

NO. 09-5647 RBL

**JUDGMENT JUDICIALLY  
RELEASING LIEN AND  
QUIETING TITLE IN AND  
TO REAL PROPERTY**

JUDGMENT SUMMARY

Does not Apply

**Appearances:** Plaintiffs, Aetna Health, Inc. and Aetna Life Insurance Company, by and  
through its counsel of record, C. Chip Goss and the law firm of Tacey Goss, P.S.; the  
defendant, S. Ross Fox, M.D., by and through his counsel of record Thomas P. Quinlan

JUDGMENT JUDICIALLY RELEASING  
LIEN AND QUIETING TITLE IN AND  
TO REAL PROPERTY- 1 -

MILLER, QUINLAN & AUTER, P.S., INC.  
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Telephone: (253) 565-5019  
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1 of the law firm Miller, Quinlan & Auter, P.S., Inc.; the Defendant, Katherine M. Fox, by  
2 and through her counsel, James R. Tomlinson and the law firm Davies Pearson P.S; and,  
3 the Unites States of America-Internal Revenue Service, by and through its counsel Alexis  
4 V. Andrews, Trial Attorney, Tax Division, United States Department of Justice.

5 **Prior Orders/Matters:** This Judgment arises out of the parties' Stipulation entered of  
6 record herein, as well as Order of Default against Defendant Cottonwood Financial  
7 Services, entered on May 13, 2010; and, the Court, having considered the same and  
8 otherwise deeming itself fully advised in the premises now, therefore it is

9       ORDERED, ADJUDGED, AND DECREED that the Deed of Trust filed by  
10 Defendant, Cottonwood Financial Services, L.C., a Utah limited liability company, which  
11 was recorded in the office of the Pierce County Auditor on July 9, 2004, under Auditor's  
12 file number 200407090408 encumbering the Defendants, S. Ross Fox and the marital  
13 community composed of S. Ross Fox and Katherine M. Fox, real property located in  
14 Lake Tapps, Pierce County, Washington, and legally described as:

16       THAT PORTION OF THE EAST HALF OF SECTION 15, TOWNSHIP  
17       20 NORTH, RANGE 5 EAST, W.M, IN PIERCE COUNTY,  
18       WASHINGTON, DESCRIBED AS FOLLOWS:

19       COMMENCING AT THE SECTION CORNER COMMON TO  
20       SECTIONS 14, 15, 22 AND 23, IN SAID TOWNSHIP AND RANGE;  
21       THENCE NORTH 89°28'51" WEST ALONG THE SOUTH LINE OF  
22       SECTION 15, A DISTANCE OF 729.86 FEET;  
23       THENCE NORTH 00°31'09" EAST 852.36 FEET;  
24       THENCE NORTH 21°30'00" WEST 1,501.00 FEET;

25 JUDGMENT JUDICIALLY RELEASING  
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1 THENCE NORTH 68°30'00" EAST 535.00 FEET TO THE POINT OF  
2 BEGINNING OF THE PARCEL HEREIN DESCRIBED, SAID POINT  
3 BEING ON THE NORTHEASTERLY MARGIN OF THAT CERTAIN  
4 RIGHT OF WAY 60.00 FEET IN WIDTH CONVEYED TO SNAG  
5 ISLAND MAINTENANCE CO., BY DEED DATED JUNE 28, 1973  
6 UNDER AUDITOR'S FILE NUMBER 2508398;  
7 THENCE NORTH 21 °30'00" WEST ALONG SAID  
8 NORTHEASTERLY RIGHT OF WAY MARGIN 187.00 FEET;  
9 THENCE NORTH 68°30'00" EAST 465.00 FEET;  
10 THENCE SOUTH 21 °30'00" EAST 187.00 FEET;  
11 THENCE SOUTH 68°30'00" WEST 465.00 FEET TO THE POINT OF  
12 BEGINNING.

13 EXCEPT THAT PORTION OF LAKE TAPPS LYING BELOW THE  
14 CONTOUR LINE AT ELEVATION OF 545.00 FEET ABOVE SEA  
15 LEVEL, SAID CONTOUR LINE AS BEING DESIGNATED IN THAT  
16 CERTAIN DEED DATED JUNE 22, 1954 AND RECORDED JULY 7,  
17 1954 UNDER AUDITOR'S FILE NUMBER 1686523. SITUATE IN THE  
18 COUNTY OF PIERCE, STATE OF WASHINGTON

19 be, and the same hereby is, adjudged to be an invalid lien upon the above-described  
20 property and the same is released from of record; it is further,

21 ORDERED, ADJUDGED, AND DECREED that fee simple title in and to lands  
22 and premises described above is quieted as to and against said deed of trust in the  
23 Defendants, S. Ross Fox and the marital community composed of S. Ross Fox and  
24 Katherine M. Fox.

25 Dated this 1<sup>st</sup> day of ~~August~~ <sup>September</sup>, 2011.

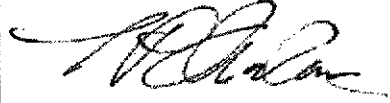
26   
Judge Ronald B. Leighton  
United States District Court

JUDGMENT JUDICIALLY RELEASING  
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1 Presented by:

2 MILLER, QUINLAN & AUTER, P.S., INC.

3 

4 Thomas P. Quinlan, WSBA No. 21325  
5 Attorney for Defendant S. Ross Fox, M.D.

6 Approved as to form/presentation waived:

7 TACEY GOSS, P.S.

8 /S/ C. Chip Goss

9 C. Chip Goss, WSBA No. 22212  
Attorney for Plaintiffs

10 DAVIES PEARSON P.S.

11 /S/ James R. Tomlinson

12 James R. Tomlinson WSBA No. 14559  
Attorney for Defendant Katherine M. Fox

13  
14 Jenny A. Durkan  
15 United States Attorney

16 Robert P. Broulliard  
Assistant United States Attorney

17 /S/ Alexis V. Andrews

18 Alexis V. Andrews  
19 Trial Attorney, Tax Division  
Attorneys for United States

20  
21  
22  
23 JUDGMENT JUDICIALLY RELEASING  
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